(c) whether any remedial steps have been taken by Government in this regard;

(d) if so, the details thereof; and

(e) to what extent these steps would help the Indian spice export industry which is facing a great threat due to the EU directive?

THE MINISTER OF COMMERCE AND INDUSTRY (SHRI ARUN JAITLEY): (a) Recent directive (issued on 20.6.2003) of European Union (EU) that all imports of chilli and chilli powder to EU member countries should be accompanied by an analytical report to the effect that product is free from Sudan-1, is not a new non-tariff barrier in as much as Sudan-1 has been banned by EU for use as a colourant since 1997.

(b) While it is too early to assess the impact of the recent directive of EU, exports of chilli and chilli products conforming to prescribed standards should continue normally.

(c) and (d) Registration Certificates of the two concerned exporters and the processor exporter, who had supplied the chilli powder to these exporters, have been suspended.

(e) Prompt action against the errant parties should send a correct signal to the European Union authorties and thereby help Indian spice export retain its position.

Uniform Civil Code

*310. SHRI P. PRABHAKAR REDDY:
SHRI N.K. PREMACHANDRAN:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Supreme Court of India has underlined the need for enactment of a Uniform Civil Code for all sections of people in the country;

(b) if so, the details thereof; and

(c) Government's reaction thereto?

THE MINISTER OF LAW AND JUSTICE (SHRI ARUN JAITLEY): (a) and (b) The Supreme Court of India in its judgement delivered on

21.7.2003 in the matter of *John Vallamattom Vs Union of India* has made certain observations in respect of the need for enactment of a Uniform Civil Code. The relevant extracts from the judgement are annexed as Statement. *(See* below).

(c) There is no decision taken by the Government to frame a Uniform Civil Code.

Statement

Relevant extracts from the judgement delierved by the Supreme Court of India

The Supreme Court of India in its judgement delivered on 21.7.2003 in th matter of *John Vallamattom Vs Union of India* has observed in para 44 of the said judgement as under:-

"44. Before I part with the case I would like to state that article 44 provides that the State shall endeavour to secure for the citizens a Uniform Civil Code throughtout the territory of India. The aforesaid provision is based on the premise that there is no necessary connection between religious and personal law in a civilized society. Article 25 of the Constitution confers freedom of conscience and fee profession, practice and propagation of the religion.The aforesaid two provisions *viz.* articles 25 and 44 show that the former guarantees religious freedom whereas the latter divests religion from social relations and personal law. It is no matter of doubt that marriage, succession and the like matters of a secular character cannot be brought within the guarantee enshrined under articles 25 and 26 of the Constitution. Any legislation which bring succession and the like matters of secular character within the ambit of articles 25 & 26 is a suspect legislation. Although it is doubtful whether the American doctrine of suspect legislation is followed in this country. In Smt. Sarla Mudgal, President, Kalyani and others *Vs* Union of India and others (1995 (3) SGC 635), it was held that marriage, sucession and like matters of secular character cannot be brought within the guarantee enshrined under articles 25 & 26 of the Constitution. It is a matter of regret that article 44 of the Constitution has not been given effect to. Parliament is still to step in for framing a common civil code in the country. A common civil code will help the cause of

national integration by removing the contradictions based on ideologies".

Coverage of DOTS

*311. SHRI EKANATH K. THAKUR: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government are aware of the fact that according to the World Health Organisation's report, India has the highest number of TB cases in the world;

(b) whether it is a fact that though the country is credited with most rapidly developing free DOTS (Directly Observed Therapy) programme in the world, only 55 per cent Indians were covered by DOTS in 2002; and

(c) if so, the steps Government propose to take to cover more Indians under DOTS?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI A. RAJA): (a) to (c) Yes, Sir. India accounts for nearly one-third of Global TB burden. It is estimated that every year about 2 million new cases are occurring in the country of which about 50% are sputum positive, which are infectious cases of TB. However, the incidence of TB in India estimated by WHO at 178 cases per lakh population is lower than the rate of incidence in many high ranking countries but due to the large population size in India the actual number of patients in the country is larger.

DOTS coverage is being rapidly expanded in the country. From 20 million coverage in 1998, about 700 million population has been covered at present. It is envisaged to cover 850 million population by 2004 and the entire country by 2005 under the revised strategy.

750 million population of several States will be covered under World Bank Assisted Project. Andhra Pradesh, Orissa and Haryana are to be covered with assistance from DFID, DANIDA and USAID respectively. The three new States of Chhattisgarh, Jharkhand & Uttaranchal and balance population of UP and Bihar, are to be covered by assistance from the Global Funds for AIDS, TB and Malaria (GFATM).